

TUESDAY, MAY 21, 1985

FIFTY-FIRST LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Herman Wolfe of Hardin County.

Representative Wolfe led the House in the Pledge of Allegiance to the Flag.

The roll call taken with the following results:

Present 96

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

The Speaker announced that Representative U. A. Moore was excused because of a seminar.

RULES SUSPENDED

Mr. Gill moved that the rules be suspended in order that all

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congratulating Resolutions may be placed on today's Consent Calendar, which motion prevailed.

Mr. Gill moved that House Rule No. 48 be suspended in order to set the Calendar for Wednesday and Thursday, which motion prevailed.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 390, 1042, 1045, 1087, 1090, 1105, 1106, 1107, 1108, 1113, 1114, 1118 and 1119; and House Joint Resolution 341; and find same correctly enrolled and ready for the signatures of the Speakers.

MARLYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 390, 1042, 1045, 1087, 1090, 1105, 1106, 1107, 1108, 1113, 1114, 1118 and 1119; and House Joint Resolution No. 341.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 132 and 417; and House Joint Resolutions Nos. 178, 315, 316, 317, 318, 321, 326, 327, 328, 332, 333, 335, 340 and 344; for his action.

MARLYN EVELYN HAND,
Chief Engrossing Clerk.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

CALENDAR

FURTHER CONSIDERATION OF SENATE BILL NO. 648

Senate Bill No. 648--To regulate fees charged by Registers of Deeds.

Mr. Rhinehart moved that Senate Bill No. 648 be passed on third and final consideration.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 648 by deleting all of the language of the bill following the enacting clause and by substituting instead the following:

SECTION 1. Subsection (a) of Section 8-21-1001, Tennessee Code Annotated, is amended by deleting from Subdivision (5) the figure "\$3.00" and substituting instead the figure "\$4.00", by deleting from Subdivision (6) the figure "\$6.00" and substituting instead the figure "\$8.00", by deleting from Subdivision (8) the figure "\$3.00" and substituting instead the figure "\$4.00", and by deleting from Subdivision (10) the figure "\$2.00" and substituting instead the figure "\$3.00".

SECTION 2. Subsection (a) of Section 8-21-1001, Tennessee Code Annotated, is amended by deleting Subdivision (7) and substituting instead the following two subdivisions and renumbering accordingly:

(7) For the first assignment of any instrument on a page, page size not to exceed 8" x 14" \$8.00

(8) For each additional assignment of any instrument on a page, page size not to exceed 8" x 14" \$2.00

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, then all provisions and applications of this act are declared to be invalid and void.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 648, as amended, passed its third and final consideration by the following vote:

Ayes	76
Noes	19
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), Davis (Knox), DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Henry, Hillis, Hobbs, Hurley, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stafford, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Ussery, Webb, West, Wheeler, Whitson,

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Williams, Winningham, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter--76.

Representatives voting no were: Bewley, Brewer, Byrd, Chiles, Davis (Cocke), DeBerry, Harrill, Hassell, Huskey, Jones, McAfee, Nance, Napier, Robinson (Washington), Shirley, Stallings, Turner, C. (Shelby), Turner, L. (Shelby) and Wood--19.

Representative present and not voting was: Dixon--1.

A motion to reconsider was tabled.

House Bill No. 778--To require taxes, rental space.

On motion, House Bill No. 778 was made to conform with Senate Bill No. 927.

On motion, Senate Bill No. 927, on same subject, was substituted for House Bill No. 778.

Mr. Swann moved that Senate Bill No. 927 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	5
Present and not voting	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Murphy, Murray, Nance, Napier, Peroulas, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Representatives voting no were: Cross, Moore (Sullivan), Ridgeway, Turner, C. (Shelby) and Winningham--5.

A motion to reconsider was tabled.

House Bill No. 87--To provide for trial by jury, certain misdemeanor cases.

On motion, House Bill No. 87 was made to conform with Senate Bill No. 171.

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On motion, Senate Bill No. 171, on same subject, was substituted for House Bill No. 87.

Mr. Murphy moved that Senate Bill No. 171 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

House Bill No. 641--To repeal Section 56-4-209, Code.

Mr. Scruggs moved that House Bill No. 641 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 641 by deleting Sections 1 and 2 in their entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 56-4-209 is amended by deleting the language "one and one-half percent (1 1/2%) and by substituting instead the language "one percent (1%)".

SECTION 2. Effective January 1, 1987, Tennessee Code Annotated, Section 56-4-209, is repealed.

SECTION 3. This act shall take effect January 1, 1986, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 641, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	2

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representatives voting no were: Bewley and Moody--2.

A motion to reconsider was tabled.

Mr. Naifeh moved that House Bill No. 746 be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 55--To increase pay, county officers and clerks.

Mr. Murphy moved that House Bill No. 55 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 55 by deleting the words and figures "seven and one-half percent (7.5%)" wherever they appear and by substituting instead the words and figures "five percent (5%)".

AND FURTHER AMEND by adding the following language immediately following the figure "1984" wherever it appears:

; provided, however, that if the percentage increase in general state employees' compensation, including salary, longevity payments or other employee benefits is increased more than five percent pursuant to the general appropriations act (SB 671/HB 585), then the compensation for each such officer shall be raised effective September 1, 1985 to an amount equal to such percentage increase greater than the compensation provided on September 1, 1984.

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 55 by deleting the words and figures "seven and one-half percent (7.5%)" wherever they appear and by substituting instead the words and figures "five percent (5%)".

On motion, the amendment was adopted.

Thereupon, House Bill No. 55, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	2
Present and not voting	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representatives voting no were: Shirley and Turner, C. (Shelby)--2.

Representatives present and not voting were: Brewer, Buck and Copeland--3.

A motion to reconsider was tabled.

House Joint Resolution No. 295--Relative to ratifying proposed Constitutional amendment, Congressmans' compensation.

Mr. Bragg moved that House Joint Resolution No. 295 be adopted, which motion prevailed by the following vote:

Ayes	92
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent,

Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Jones and Moody--2.

A motion to reconsider was tabled.

House Bill No. 853--To exempt certain repair services, sales tax.

Mr. Yelton moved that House Bill No. 853 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 853 by deleting Sections 1 and 2 in their entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 67-6-313, is amended by designating the current language as subsection (a) and by adding a new subsection as follows:

() There shall be exempt from the sales and use tax repair services (including parts and labor) with respect to qualified tangible personal property where such services are initiated or completed, or both, by a repairman within the state of Tennessee, and where such property (after having repair service performed on it) is delivered or shipped outside the state of Tennessee. The phrase "qualified tangible personal property" shall include machinery, apparatus and equipment, with all associated parts, appurtenances and accessories, which is necessary for (1) extracting or removing any natural resources (including, but not limited to, that which is necessary for mining or logging endeavors), (2) building or improving roads or highways, (3) land clearing or excavation, or commercial or residential construction, or (4) loading and unloading of containers or truck trailers on and off rail cars, ships or barges.

SECTION 2. This act shall take effect July 1, 1985, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon, House Bill No. 853, as amended, passed its third and

final consideration by the following vote:

Ayes	90
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representatives voting no were: DeBerry and Moody--2.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE BILL NO. 685

House Bill No. 685--To exempt sale and use tax, factory manufactured structures.

Mr. Severance moved that House Bill No. 685 be passed on third and final consideration.

Mr. Swann moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 685 by deleting the word and figure "Section 68-36-202(5)" in item (3) in the amendatory language of Section 1 and by substituting instead the words and figure:

"Section 68-36-202(5) and shall also include prefabricated wood trusses, pre-hung door and window units and prefabricated cabinets and vanities".

AND FURTHER AMEND by deleting the words "factory-manufactured structure" in Section 3 and by substituting instead the words "factory-manufactured structures as defined in the amendatory language of Section 1".

Mr. Severance moved that the Amendment No. 2 be tabled, which motion failed.

On motion, Amendment No. 2 was adopted.

Thereupon, House Bill No. 685, as amended, failed to receive a constitutional majority by the following vote:

Ayes	17
Noes	71
Present and not voting	4

Representatives voting aye were: Bragg, Burnett, Dills, Ellis, Hurley, Jared, Kernell, McCroskey, Murphy, Nance, Scruggs, Severance, Stafford, Turner, C. (Shelby), Wheeler, Wolfe and Yelton--17.

Representatives voting no were: Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Huskey, Ivy, Jones, Kent, Kisher, Lawson, May, McAfee, McNally, Montgomery, Moody, Moore (Sullivan), Murray, Naifeh, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Williams, Winningham, Wix, Wood and Mr. Speaker McWherter--71.

Representatives present and not voting were: Covington, Love, Miller and Whitson--4.

Under the rules, House Bill No. 685 was re-referred to the Committee on Calendar and Rules.

House Bill No. 28--To enact Tax Reduction Act of 1985.

On motion, House Bill No. 28 was made to conform with Senate Bill No. 7.

On motion, Senate Bill No. 7, on same subject, was substituted for House Bill No. 28.

Mr. Naifeh moved that Senate Bill No. 7 be passed on third and final consideration.

Ms. Williams moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 7 by adding a new section, appropriately numbered, before the effective date section, as follows:

Section ____ . Tennessee Code Annotated, Section 67-2-104, is amended by adding the following language as a new subsection to be appropriately numbered.

() Nothing contained in this chapter shall be construed or held to authorize the levy of an income tax on

dividend income derived from money market funds which invest solely in instruments which would produce tax exempt income if purchased directly by a taxpayer.

Mr. Rhinehart moved that the Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes	57
Noes	33

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Clark (Davidson), Collier, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kisber, Love, McAfee, McCroskey, Miller, Murray, Naifeh, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Hamilton), Scruggs, Severance, Shirley, Stallings, Starnes, Tanner, Treadway, Turner (Hamilton), Webb, Wheeler, Winningham, Wix, Work and Mr. Speaker McWherter--57.

Representatives voting no were: Burnett, Byrd, Chiles, Clark (Sumner), Cobb, DeBerry, Ellis, Harrill, Hassell, Jones, Kernell, Lawson, May, McNally, Montgomery, Moody, Moore (Sullivan), Murphy, Nance, Robinson (Davidson), Robinson (Washington), Stafford, Swann, Tankersley, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Whitson, Williams, Wolfe, Wood and Yelton--33.

Mr. McNally moved the previous question, which motion prevailed by the following vote:

Ayes	68
Noes	22

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Burnett, Clark (Davidson), Clark (Sumner), Collier, Covington, Cross, Curlee, Davidson, Davis (Gibson), Davis (Knox), DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gaia, Garrett, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Jared, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murray, Nance, Napier, Peroulas, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Webb, West, Wheeler, Whitson, Wix, Wolfe, Work and Yelton--68.

Representatives voting no were: Brewer, Buck, Byrd, Cobb, Crain, Darnell, DeBerry, Drew, Gafford, Gill, Ivy, Jones, Kent, Lawson, Murphy, Ridgeway, Stafford, Tankersley, Turner, C. (Shelby), Ussery, Williams and Wood--22.

Thereupon, Senate Bill No. 7 passed its third and final consideration by the following vote:

Ayes	91
Noes	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representatives voting no were: Cobb, Jones and Lawson--3.

A motion to reconsider was tabled.

House Bill No. 796--To regulate retirement, mental health institutes.

On motion, House Bill No. 796 was made to conform with Senate Bill No. 845.

On motion, Senate Bill No. 845, on same subject, was substituted for House Bill No. 796.

Mr. Stallings moved that Senate Bill No. 845 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No 845 by deleting from the amendatory language of Section 1(a), as amended, the following:

commissioner of mental health and mental retardation and by substituting instead the following:

commissioner of mental health and mental retardation, subject to approval by the commissioner of personnel and the commissioner of finance and administration,

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 845, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

House Bill No. 960--To regulate pre-sentence reports, certain criminal cases.

Mr. Burnett moved that House Bill No. 960 be passed on third and final consideration.

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 960 by deleting the existing Sections 1 through 5 and substituting instead the followig:

SECTION 1. Tennessee Code Annotated, Section 40-35-209, is amended by deleting subsection (d) in its entirety and substituting the following:

(d) Whenever a defendant is sentenced to the custody of the department of correction or workhoues, the sentencing court shall transmit to the commissioner of the department of correction or the superintendent of the workhouse a copy of the defendant's pre-sentence report when one is prepared in accordance with the provisions of this chapter. If the presentence report was controverted at the sentence hearing, the court shall order the report modified to incorporate any findings of the court that are inconsistent with the original report and the defendant shall be entitled to file a statement in response to the pre-sentence report and the court's findings. If there is no pre-sentence report, and the defendant is not sentenced to the custody of the department of corrections, the district attorney general and counsel for the defendant may file a statement with the

clerk of the sentencing court to be transmitted to the superintendent of the institution to which the defendant is committed, to furnish the institution with the facts and circumstances of the offense for which the defendant was committed together with all other factual information accessible to them in regard to the defendant prior to his commitment relative to his habits, associates, disposition and reputation and any other facts and circumstances which may aid such institution during its custody of the defendant. If there is no pre-sentence report, and the defendant is sentenced to the department of corrections, the court shall direct the pre-sentence service officer to make an investigation and report in conformity with such provisions of section 40-35207 as the court may deem appropriate to aid the department during the time the defendant is in its custody. The clerk shall within ten (10) days after entry of the judgment of conviction of the defendant to the institution, transmit to the commissioner or superintendent of the institution the original or modified presentence report, and shall within ten (10) days after receiving any such statements from the district attorney general and counsel for the defendant transmit a copy to the superintendent and a copy to the district attorney general; provided, however, that this shall not be cause for delay in conveying the defendant to the institution to which he has been committed. No defendant sentenced to the custody of the department of corrections without a pre-sentencing report shall be conveyed to the department until the investigation and report required by this section have been completed and transmitted to the commissioner.

Section 2. The department shall have the authority to employ a sufficient number of pre-sentence service officers to provide the additional reports required by this act.

Section 3. This act shall take effect on July 1, 1985, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Moody moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 960 by adding the following new section to be appropriately renumbered:

SECTION ____. In those counties wherein a pre-sentence report is prepared upon instructions of the court before the trial of any person, the pre-sentence report shall not be commended upon or read to the jury by the judge or attorney

general or defense counsel in those matters in which the defendant is found not guilty.

On motion, the amendment was adopted.

Thereupon, House Bill No. 960, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

House Bill No. 965--To regulate amusement tax.

On motion, House Bill No. 965 was made to conform with Senate Bill No. 286.

On motion, Senate Bill No. 286, on same subject, was substituted for House Bill No. 965.

Mr. Burnett moved that Senate Bill No. 286 be passed on third and final consideration.

Mr. Work moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 286 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 67-6-330 is amended by deleting item (2) in its entirety and by substituting instead the following:

(2) Gross proceeds or receipts from admissions to county or agricultural fairs and any dues, fees or charges which enable or entitle the entrant to engage in any otherwise taxable amusement activity held therein including games, rides, contests or grandstand events;

On motion, the amendment was adopted.

Thereupon Senate Bill No. 286, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	6

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Hurley, Huskey, Ivy, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Stafford, Stallings, Starnes, Swann, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representatives voting no were: Henry, Jared, Scruggs, Shirley, Turner, L. (Shelby) and Whitson--6.

A motion to reconsider was tabled.

House Bill No. 969--To make certain provisions, abandoned property.

On motion, House Bill No. 969 was made to conform with Senate Bill No. 295.

On motion, Senate Bill No. 295, on same subject, was substituted for House Bill No. 969.

Mr. Burnett moved that Senate Bill No. 295 be passed on third and final consideration.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 295 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ . Tennessee Code Annotated, Section 66-29-105, is amended by designating the existing language as subsection (a) and by adding the following new subsection (b):

(b) Any utility which possesses a deposit or other sum which is subject to be presumed abandoned pursuant to the provisions of subsection (a) shall make a reasonable attempt to notify the subscriber who is entitled to such deposit or sum of such possession within three (3) years of the commencement of the seven (7) year period pursuant to subsection (a).

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 295, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 974--To clarify application of credits certain unpaid accounts.

On motion, House Bill No. 974 was made to conform with Senate Bill No. 195.

On motion, Senate Bill No. 195, on same subject, was substituted for House Bill No. 974.

Mr. Burnett moved that Senate Bill No. 195 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Turner, L. (Shelby)--1.

A motion to reconsider was tabled.

House Bill No. 978--To clarify sales tax statutes, electric cooperatives.

On motion, House Bill No. 978 was made to conform with Senate Bill No. 194.

On motion, Senate Bill No. 194, on same subject, was substituted for House Bill No. 978.

Mr. Burnett moved that Senate Bill No. 194 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

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Representatives voting no were: DeBerry, Shirley and Turner, L. (Shelby)--3.

A motion to reconsider was tabled.

Ms. Moore (Sullivan) moved that House Bill No. 1117, be re-referred to the Committee on Calendar and Rules, which motion prevailed.

House Bill No. 758--To amend Title 47, Chapters 1, 2, 5 and 9, Code.

On motion, House Bill No. 758 was made to conform with Senate Bill No. 714.

On motion, Senate Bill No. 714, on same subject, was substituted for House Bill No. 758.

Mr. Tanner moved that Senate Bill No. 714 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

House Bill No. 584--To authorize bond issue, state institutions of learning.

On motion, House Bill No. 584 was made to conform with Senate Bill No. 672.

On motion, Senate Bill No. 672, on same subject, was substituted for House Bill No. 584.

Mr. Henry moved that Senate Bill No. 672 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	7

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Collier, Copeland, Covington, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Swann, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--85.

Representatives voting no were: Cross, Darnell, McAfee, Moody, Shirley, Stafford and Tankersley--7.

A motion to reconsider was tabled.

House Bill No. 583--To authorize bond issue, state institutions of learning.

Mr. Henry moved that House Bill No. 583 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	8
Present and not voting	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stallings, Starnes, Swann, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--83.

Representatives voting no were: Cross, Darnell, McAfee, Moody, Shirley, Stafford, Tankersley and Winningham--8.

Representatives present and not voting were: DeBerry and Jones --2.

A motion to reconsider was tabled.

CONSENT CALENDAR

Senate Joint Resolution No. 157--Relative to sorrow, Noble C. Caudill.

Senate Joint Resolution No. 142--Relative to naming "Franklin H. "Chick" Brown Bridge.

House Joint Resolution No. 352--Relative to congratulating Ricky Cross.

House Joint Resolution No. 353--Relative to honoring Robert W. Scales.

House Joint Resolution No. 355--Relative to honoring Frederick Cordoza II.

House Joint Resolution No. 356--Relative to expressing sorrow at death of William G. Spence.

House Joint Resolution No. 358--Relative to congratulating Mr. and Mrs. Allen Garner Payne.

House Bill No. 1127--To regulate purchasing, Hamilton County Hospital Authority.

House Bill No. 1130--To amend Chapter 776, Private Acts, 1947.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

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A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

671--"General Appropriations Bill."

The Senate nonconcurred in House Amendments Nos. 1, 2 and 3.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Henry moved that the rules be suspended for the purpose of considering Senate Bill No. 671 out of order, which motion prevailed.

Senate Bill No. 671--General Appropriations Bill.

Mr. Henry moved that the House refuse to recede from its action in adopting Amendments Nos. 1, 2 and 3 to Senate Bill No. 671, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 9--To make certain provisions, severance tax.

SENATE AMENDMENT NO. 3

Amend House Bill No. 9 by deleting the words "abatement purposes;" in Section 1 and by substituting instead the words "abatement purposes; and burnt lime, any hydrated lime".

SENATE AMENDMENT NO. 4

Amend House Bill No. 9 by deleting Section 2 in its entirety and substituting instead the following new section:

Section 2. Tennessee Code Annotated, Title 67, Chapter 7, Part 2, is amended by deleting and severing Section 67-7-210.

Section 3. Tennessee Code Annotated, Title 67, Chapter 7, Part 2, is amended by adding the following new section:

The tax authorized by this part shall be levied pursuant to the provisions of this part in any county upon the adoption of a resolution by two-thirds (2/3) vote of the county legislative body of such county. The presiding officer of the county legislative body shall certify a copy of the resolution to the secretary of state and the commissioner of the department of revenue.

In addition, no tax shall be collected by the department of revenue pursuant to such county legislative action until the first day of a month occurring at least thirty (30) days after the receipt of a certified copy of such action by the department of revenue.

Any county legislative body that has by private act enacted prior to June 5, 1984, levied a tax on the severance of sand, gravel, sandstone, chert or limestone may continue such tax at a rate not to exceed the rate established in Sections 67-7-201 -- 67-7-211, and such private act shall remain in force and effect in such county for all other purposes; provided, however, that any adjustment required by Sections 67-7-201 -- 67-7-211, in the rate effective in such county shall take effect on the first day of the month following June 5, 1985.

Section 4. Tennessee Code Annotated, Title 67, Chapter 7, Part 2, excluding Section 67-7-210, is hereby reenacted and the text of such sections are hereby incorporated herein and considered to be a part of this act.

Section 5. A resolution adopted by any county legislative body in conformance with Section 3 on or after June 5, 1984, shall be effective for the collection of the tax authorized herein.

Section 6. The provisions of Sections 2 through 5 of this act shall be retroactive to June 5, 1984, so as to authorize levy of the tax herein from that date, the public welfare requiring it. Section 1 shall take effect July 1, 1985, the public welfare requiring it.

SENATE AMENDMENT NO. 5

Amend House Bill No. 9 by redesignating Section 2 to be Section 3 and by adding a new Section 2, as follows:

SECTION 2. It is the intent of the general assembly that no provision of this act shall supersede, repeal, or affect any private act on severance of minerals or other products in counties having a population of not less than fourteen thousand nine hundred (14,900) nor more than fourteen thousand nine hundred twenty-five (14,925), according to the 1980 federal census as contained in Volume 13 of this Code, or any subsequent federal census.

SENATE AMENDMENT NO. 6

Amend House Bill No. 9 by adding the following new section immediately preceding the effective date section, and by renumbering the effective date section accordingly:

SECTION ____ . Tennessee Code Annotated, Section 67-7-203, subsection (c) is amended by adding thereto the following new sentence:

The department of revenue shall use the accounting principle known as "first in-first out" in determining the tax payable on stockpiles or inventories of sand, gravel, sandstone, chert or limestone existing on the effective date of the tax in the county.

This section shall take effect July 1, 1985, the public welfare requiring it.

Mr. Rhinehart moved that the House concur in Senate Amendments Nos. 3, 4, 5 and 6, which motion prevailed by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Shirley--1.

A motion to reconsider was tabled.

On motion of Mr. Ussery, House Bill No. 68 was placed on tomorrow's Message Calendar.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 149--To continue board of directors, Sequatchie Valley planning agency.

SENATE AMENDMENT NO. 2

Amend House Bill No. 149 by deleting from Section 2 the figures and symbols "4-29-206" and by substituting instead the following:

"4-29-211".

Mr. King moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 153--To continue civil service commission.

SENATE AMENDMENT NO. 3

Amend House Bill No. 153 by deleting items (2) and (3) of the section which immediately precedes the effective date section and by substituting instead the following:

(2) Make a study of the civil service system in those departments of the state government covered by such system and make periodic reports to the governor on recommendations for improvement of the system; and

(3) Make annual reports, and such special reports as it may deem necessary, to the governor and commissioner of personnel regarding personnel administration.

Mr. King moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry,

DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 178

Senate Bill No. 178--To regulate school attendance.

Mr. Wood moved that the motion to reconsider Senate Bill No. 178 be lifted from the table, which motion prevailed.

Mr. Wood moved that the House reconsider its action in passing Senate Bill No. 178 on third and final consideration, as amended, which motion prevailed.

Mr. Wood moved that the House reconsider its action in adopting Amendment No. 7, which motion prevailed by the following vote:

Ayes	62
Noes	33

Representatives voting aye were: Bell, Bewley, Bragg, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Darnell, DePriest, Drew, Duer, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Ivy, Jared, Kent, Kisber, Lawson, McCroskey, McNally, Montgomery, Moody, Moore (Sullivan), Murray, Naifeh, Nance, Napier, Robinson (Davidson), Robinson (Washington), Scruggs, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Treadway, Turner, C. (Shelby), Ussery, Webb, West, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--62.

Representatives voting no were: Bivens, Brewer, Buck, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Ellis, Hobbs, Hurley, Huskey, Jones, Kernell, King, Love, May, McAfee, Miller, Murphy, Peroulas, Rhinehart, Ridgeway, Severance, Starnes, Turner (Hamilton), Turner, L. (Shelby), Wheeler and Winningham--33.

Mr. Wood moved that Amendment No. 7 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 178, as amended, passed its third and final consideration by the following vote:

Ayes	73
Noes	23

Representatives voting aye were: Bell, Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Curlee, Darnell, Davis (Gibson), DePriest, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, Lawson, May, McCroskey, McNally, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Ussery, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--73.

Representatives voting no were: Bivens, Cross, Davidson, Davis (Cocke), Davis (Knox), DeBerry, Dills, Dixon, Jones, Kernell, Love, McAfee, Miller, Peroulas, Rhinehart, Ridgeway, Robinson (Hamilton), Starnes, Treadway, Turner (Hamilton), Turner, L. (Shelby), Webb and Winningham--23.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 179--To continue Beech River watershed authority board.

SENATE AMENDMENT NO. 2

Amend House Bill No. 179 by deleting from Section 2 the figures and symbols "4-29-206" and by substituting instead the following:

"4-29-211".

Mr. King moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson),

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Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 185--To continue Upper Duck River development agency board.

SENATE AMENDMENT NO. 2

Amend House Bill No. 185 by deleting from Section 2 the figures and symbols "4-29-206" and by substituting instead the following:

"4-29-211".

Mr. King moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 189--To continue department of finance and administration.

SENATE AMENDMENT NO. 1

Amend House Bill No. 189 by deleting from the directory language of Section 2 the words, symbols, and figures "Tennessee Code

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Annotated, Section 4-29-211," and by substituting instead the following:

"Tennessee Code Annotated, Section 4-29-206,".

Mr. King moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 243

Senate Bill No. 243--To regulate Goodwyn Institute Commission.

Mr. King moved that the motion to reconsider Senate Bill No. 243 be lifted from the table, which motion prevailed.

Mr. King moved that the House reconsider its action in passing Senate Bill No. 243 on third and final consideration, as amended, which motion prevailed.

Mr. King moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. King moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 243 passed its third and final consideration by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 304--To regulate housing of certain criminals.

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Mr. Webb moved that the House refuse to recede from its action in nonconcurring in Senate Amendment No. 1 to House Bill No. 304, which motion prevailed.

Mr. Webb moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 304, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Webb, Burnett and Murphy as the Conference Committee on House Bill No. 304.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

304--To regulate housing of certain criminals.

The Speaker appointed a Conference Committee composed of Senators Rochelle, Haynes and Person to confer with a like committee from the House to resolve the differences of the two bodies on House Bill No. 304.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 562

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 562/House Bill No. 550 have met and recommend that Senate amendments 2 and 5 and House amendment 1 be adopted; that Senate amendment 4 be deleted; that House amendments 2, 3, 4, 5, and 6 be deleted; and that the bill be further amended by adding the following new sections:

SECTION ____ . Tennessee Code Annotated, Section 55-4-202, is further amended in subdivision (c)(2) by adding a new item "(I) Retired judges of courts, not-of-record", and in subdivision (c)(4)(B) by deleting the word "Consular" and by substituting the words "Honorary Consular".

SECTION ____ . Tennessee Code Annotated, Section 55-4-202, is amended by deleting item (F) in subdivision (c)(1) and is further amended by adding a new subdivision, as follows:

(c)(5) Sheriff

SECTION ____ . Tennessee Code Annotated, Section 55-4-202, is amended by adding the following new subsection:

() Registration plates issued to U. S. Senators and members of the U. S. House of Representatives pursuant to subsection (c)(4) of this section shall be of a design approved by the department, but shall bear the district number of House members and shall bear "1" or "2" based on the seniority of Senate members.

SECTION _____. Tennessee Code Annotated, Section 55-4-203, is amended by adding a new item, as follows:

(10) Sheriff - twenty-five dollars (\$25.00).

and in item (9) by deleting the following:

, except consular plates which must be issued without charge under federal law.

SECTION _____. Tennessee Code Annotated, Section 55-4-111, is amended by deleting the period at the end of the first sentence of subsection (b)(1) and substituting instead the following:

and such license plates shall bear the word "ANTIQUE" in capital letters in the center of such plate, and a unique identifying number at the bottom of the plate.

and by deleting from the second sentence of subsection (b)(1) the word and figure "thirty (30)" and substituting instead the words and figure "twenty-five (25)" and by deleting from such second sentence the following words and punctuation:

, and which is registered to a person who is a member of an antique automobile or motor vehicle club or association.

SECTION _____. Tennessee Code Annotated, Section 55-4-222, is amended by deleting from subsection (e) the words "as provided for in this part" and substituting instead the words "which shall bear the number for the sheriff's county of jurisdiction" and the word "SHERIFF" in capital letters.

FOR THE SENATE

FOR THE HOUSE

Senator Carl Moore

Representative Ralph Yelton

Senator Thomas Garland

Representative Bob Gafford

Senator Steve Cohen

Representative Ray Clark

Mr. Yelton moved that the Report of the Conference committee on Senate Bill No. 562 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes 95
Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

Senate Bill No. 300--To regulate absentee voting by mail.

Mr. Miller moved that the House refuse to recede from its action in adopting Amendment No. 1 to Senate Bill No. 300, which motion prevailed.

On motion of Mr. King, House Bill No. 625 was moved to Wednesday's Message Calendar.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 708--To permit incarceration, juvenile offenders.

SENATE AMENDMENT NO. 3

Amend House Bill No. 708 by rewriting Section 1 thereof (as amended) to read as follows:

SECTION 1. Tennessee Code Annotated, Section 37-1-102 (4) (a) is amended by changing the period at the end of subsection (ii) to a semicolon and adding the word "or" and by adding a new subsection (iii) as follows:

A person under the age of twenty-one (21) who has been adjudicated delinquent and given a determinent sentence under Section 37-1-137 Tennessee Code Annotated (a)(1)(B) provided however, a juvenile reaching the age of eighteen (18) and under commitment to the department of corrections is legally an adult except with regard to serving the institutional and community supervision time stipulated in his or her adjudication of delinquency.

It is further amended by rewriting Section 3 thereof (as amended) to read as follows:

SECTION 3. Section 37-1-137 (a) (1) Tennessee Code Annotated is amended by renumbering said section as (a) (1) (A) and adding the following section designated as (a) (1) (B):

If a juvenile offender is tried and adjudicated delinquent in Juvenile Court for a Class X Felony, or has been previously adjudicated delinquent in three (3) felony offenses arising out of separate criminal episodes at least one of which has resulted in institutional commitment to the department of corrections or is within six (6) months of his 19th birthday at the time of his adjudication of delinquency the commitment may be for a determinate period of time but in no event shall the length of said commitment be greater than the sentence for an adult convicted for the same crime nor shall said commitment extend past the offender's 21st birthday. Provided further that commitment under this section shall not exceed the sentences provided for in Title 40, Chapter 35, Tennessee Code Annotated and in no event shall a juvenile offender be sentenced under range 2.

SECTION 4. (as amended) is further amended by inserting the following after "(a) (1) (B)" as it appears in the second line thereof:

And given a determinate commitment

SECTION 5. (as amended) is further amended by inserting the following after "(a) (1) (B)" as it appears in the second line thereof:

And given a determinate commitment

SECTION 6. (as amended) is amended by adding said section and substituting in lieu thereof the following:

This act shall take effect from and after December 1, 1985, the public welfare requiring it.

SENATE AMENDMENT NO. 4

Amend House Bill No. 708 by rewriting section 3 thereof (as amended) to read as follows:

SECTION 3: Section 37-1-137 (a)(1) Tennessee Code Annotated is amended by renumbering said section as (a) (1) (A) and by adding the following section designated (a) (1) (B):

If a juvenile offender is tried and adjudicated delinquent in a juvenile court

- (1) for a class X felony,
- (2) or has been previously adjudicated delinquent in three
- (3) felony offenses,
- (3) or is within six (6) months of his 19th birthday at the time of his adjudication of delinquency, and is in that class of persons set out in Section 37-1-134 (a)(1) Tennessee Code Annotated, the commitment may extend to said offenders twenty-first (21) birthday.

Mr. Dills moved that the House non-concur in Senate Amendments Nos. 3 and 4, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 792--To create the Resource Authority.

SENATE AMENDMENT NO. 2

Amend House Bill No. 792 by inserting the following language as a new section immediately after Section 17 and by appropriately renumbering the final two (2) sections:

SECTION ____ . Tennessee Code Annotated, Title 4, Chapter 29, Part 2 is amended by adding the following as a new, appropriately designated section:

The following governmental entities shall terminate on June 30, 1991:

() Elk Regional Resource Authority, created by Section ____.

Any governmental entity which has been terminated under this section may be continued, re-established, or restructured in accordance with this chapter.

SENATE AMENDMENT NO. 6

Amend House Bill No. 792 by inserting in item 3 of Section 4 between the word "lease," and the word "and" the following language:

the exercise of the power of eminent domain or otherwise,

AND FURTHER AMEND by inserting in item 4 of Section 4 between the word "lease," and the word "any" the following language:

the exercise of the power of eminent domain or otherwise,

AND FURTHER AMEND by inserting the following language as a new section immediately following Section 4 and by appropriately renumbering subsequent sections:

Section _____. The authority is hereby authorized and empowered to condemn in its own name any land, rights in land, easements or rights of way situated within the territorial limits of Bedford County, Coffee County, Franklin County, Lincoln County and Moore County which, in the judgement of the board of directors, are necessary for carrying out the purposes for which the authority is created and such property or interest in such property may be so acquired whether or not the same is owned or held for public use by persons having the power of eminent domain, or otherwise held or used for public purposes; provided, however, such prior public use will not be interfered with by the use to which such property will be put by the authority. Such power of condemnation may be exercised in the manner prescribed by Chapter 16 of Title 29, Tennessee Code Annotated, or in the manner prescribed by any other applicable statutory provisions now in force or hereafter enacted for the exercise of the power of domain.

SENATE AMENDMENT NO. 7

Amend House Bill No. 792 by deleting the third sentence of Section 1 and substituting instead the following sentence:

The Authority is created and established for the purpose of developing the resources of the region embracing the above counties and the cities specified in Section 18 hereof (hereafter referred to as the "region"), including the coordination of the Authority's development work with related activities and programs of the Tennessee Valley Authority and other federal, state and local planning and development agencies.

AND FURTHER AMEND by adding the following subsections to Section 3:

(f) The Board shall establish an advisory committee consisting of twenty-five members, with five members from each of the five counties in the region selected in such manner as the Board shall determine to provide a wide range of viewpoints. The Board shall endeavor to have the advisory committee reflect a broad range of socio-economic backgrounds in its membership. The terms of the members of the advisory committee shall be set by a resolution of the Board in such manner as to create a staggered term system to provide for continuity on the advisory committee.

(g) At least annually the Board shall hold a meeting at which members of the general public are allowed to address the Board. Further, prior to the adoption of any resolution authorizing a bond issue pursuant to the provisions of this act, the Board shall hold a public hearing to examine the opinions of members of the general public on the issue.

(h) All meetings of the Board and advisory committee shall be public and shall comply with the state law on open meetings

codified in Chapter 44, Title 8, Tennessee Code Annotated.

and further amend by deleting the original Section 6 of the bill in its entirety and substituting instead a new Section to read as follows:

SECTION ____. (a) The Authority is authorized and empowered to issue its bonds, notes, or other obligations from time to time for the purpose of paying in whole or in part the cost of acquiring lands and interests therein and of constructing facilities and improvements subject to the limitations and conditions provided in this Act. Prior to the adoption of any resolution of the Board authorizing the sale of bonds, notes, or other obligations or entering into any contract or other arrangement in the planning or preparation for the sale of bonds, notes, or other obligations, the Authority shall review such plans with the state division of bond finance. The state funding board established by Tennessee Code Annotated, Section 9-9-101 is authorized to contract or to make other arrangements as it may deem necessary to provide for the issuance of such bonds, notes or other obligations of the Authority, or in the funding board's discretion, the Authority may enter into such contracts or other arrangements provided, however, that any contract or arrangement entered into for the purpose of the issue of any bonds, notes or other obligations shall be subject to the approval of the state funding board. Any resolution of the Board authorizing the sale of bonds, notes, or other obligations shall be submitted to the state funding board, and such resolution shall only become effective upon receiving the approval of the state funding board. The state funding board, upon rejecting any resolution of the Board authorizing the issue of bonds, notes, or other obligations, shall state in writing the reasons for this action.

(b) Except as herein otherwise expressly provided, all bonds issued by the Authority shall be payable solely out of the revenues and receipts derived from the agency's projects or of any thereof as may be designated in the proceedings of the Board under which the bonds shall be authorized to be issued, including debt obligations of the lessee or contracting party obtained from or in connection with the financing of a project; provided, that notes issued in anticipation of the issuance of bonds may be retired out of the proceeds of such bonds. Such bonds may be executed and delivered by the Authority at any time and from time to time may be in such form and denominations and of such terms and maturities, may be in registered or bearer form either as to principal or interest or both, may be payable in such installments and at such time or times not exceeding forty (40) years from the date thereof, may be payable at such place or places whether within or without the state of Tennessee, may bear interest at such rate or rates payable at such time or times and at such place or places and evidenced in such manner, may be executed by such officers of the Authority and may contain such provisions not inconsistent herewith, all as shall be provided in

the proceedings of the Board whereunder the bonds shall be authorized to be issued. If deemed advisable by the Board, there may be retained in the proceedings under which any bonds of the Authority are authorized to be issued an option to redeem all or any part thereof as may be specified in such proceedings, at such price or prices and after such notice or notices and on such terms and conditions as may be set forth in such proceedings and as may be briefly recited on the face of the bonds, but nothing herein contained shall be construed to confer on the Authority any right or option to redeem any bonds except as may be provided in the proceedings under which they shall be issued. Any bonds of the Authority may be sold at public or private sale in such manner, at such price and from time to time as may be determined by the Board to be most advantageous, and the Authority may pay all expenses, premiums and commissions which its Board may deem necessary or advantageous in connection with the issuance thereof. Issuance by the Board of one or more series of bonds for one or more purposes shall not preclude it from issuing other bonds in connection with the same project or any other project, but the proceedings whereunder any subsequent bonds may be issued shall recognize and protect any prior pledge or mortgage made for any prior issue of bonds. Proceeds of bonds issued by the Authority may be used for the purpose of constructing, acquiring, reconstructing, improving, equipping, furnishing, bettering, or extending any project or projects, including the payment of interest on the bonds during construction of any such project and for two (2) years after the estimated date of completion, and payment of engineering, fiscal, architectural and legal expenses incurred in connection with such project and the issuance of the bonds, and the establishment of a reasonable reserve fund for the payment of principal of and interest on such bonds in the event of a deficiency in the revenues and receipts available for such payment.

(c) Subject to the approvals required in subsection (a), any bonds or notes of the Authority at any time outstanding may at any time and from time to time be refunded by the Authority by the issuance of its refunding bonds in such amount as the board of directors may deem necessary, but not exceeding the sum of the following:

- (1) The principal amount of the obligations being refinanced;
- (2) Applicable redemption premiums thereon;
- (3) Unpaid interest on such obligations to the date of delivery or exchange of the refunding bonds;
- (4) In the event the proceeds from the sale of the refunding bonds are to be deposited in trust as hereinafter provided, interest to accrue on such obligations from the date of delivery to the first or any subsequent available

redemption date or dates selected, in its discretion, by the Board or to the date or dates of maturity, whichever shall be determined by the Board to be most advantageous or necessary to the Authority.

(5) A reasonable reserve of the payment of principal of and interest on such bonds and/or a renewal and replacement reserve;

(6) If the project to be constructed from the proceeds of the obligations being refinanced has not been completed, an amount sufficient to meet the interest charges on the refunding bonds during the construction of such project and for two (2) years after the estimated date of completion (but only to the extent that interest charges have not been capitalized from the proceeds of the obligations being refinanced); and

(7) Expenses, premiums and commissions of the Authority, including bonds discount, deemed by the Board to be necessary for the issuance of the refunding bonds. A determination by the Board that any refinancing is advantageous or necessary to the Authority; or that any of the amounts provided in the preceding sentence should be included in such refinancing, or that any of the obligations to be refinanced should be called for redemption on the first or any subsequent available redemption date permitted to remain outstanding until their respective dates of maturity, shall be conclusive.

(d) Any such refunding may be effected whether the obligations to be refunded shall have then matured or shall thereafter mature, either by the exchange of the refunding bonds for the obligations to be refunded thereby with the consent of the holders of the obligations so to be refunded, or by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations to be refunded thereby, and regardless of whether or not the obligations proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

(e) Prior to the issuance of the refunding bonds, the Board shall cause notice of its intention to issue the refunding bonds, identifying the obligations proposed to be refunded and setting forth the estimated date of delivery of the refunding bonds, to be given to the holders of the outstanding obligations by publication of an appropriate notice one (1) time each in a newspaper having general circulation in the area and in a financial newspaper published in New York, New York, and having national circulation. As soon as practicable after the delivery of the refunding bonds, and whether or not any of the obligations to be refunded are to be called for redemption, the Board shall

cause notice of the issuance of the refunding bonds to be given in the manner provided in the preceding sentence.

(f) If any of the obligations to be refunded are to be called for redemption, the Board shall cause notice of redemption to be given in the manner required by the proceedings authorizing such outstanding obligations.

(g) The principal proceeds from the sale of any refunding bonds shall be applied only as follows: either,

(1) To the immediate payment and retirement of the obligations being refunded; or

(2) To the extent not required for the immediate payment of the obligations being refunded, then such proceeds shall be deposited in trust to provide for the payment and retirement of the obligations being refunded, and to pay any expenses incurred in connection with such refunding, but provision may be made for the pledging and disposition of any surplus, including without limitation, provision for the pledging of any such surplus to the payment of the principal of and interest on any issue or series of refunding bonds. Money in any such trust fund may be invested in direct obligations of, or obligations the principal of and interest on which are guaranteed by the United States government, or obligations of any agency or instrumentality of the United States government, or in certificates of deposit issued by a bank or trust company located in the state of Tennessee if such certificates shall be secured by a pledge of any of said obligations having any aggregate market value, exclusive of accrued interest, equal at least to the principal amount of the certificates so secured. Nothing herein shall be construed as a limitation on the duration of any deposit in trust for the retirement of obligations being refunded but which shall not have matured and which shall not be presently redeemable or, if presently redeemable, shall not have been called for redemption.

(h) All such bonds, refunding bonds and the interest coupons applicable thereto are hereby made and shall be construed to be negotiable instruments.

(i) The principal of and interest on any bonds issued by the Authority may be secured by a pledge of the revenues and receipts out of which the same shall be made payable, and may be secured by a mortgage or deed of trust covering all or any part of the projects from which the revenues or receipts so pledged may be derived, including any enlargements of and additions to any such projects thereafter made, and/or by an assignment and pledge of all or any part of the Authority's interest in and rights under the leases, sale contracts or loan agreements relating to such projects, or any thereof. The resolution under

which the bonds are authorized to be issued and any such mortgage or deed of trust may contain any agreements and provisions respecting the maintenance of the projects covered hereby, the fixing and collection of rents or payments with respect to any projects or portions thereof covered by such resolution, mortgage or deed of trust, the creation and maintenance of special funds from such revenues and from the proceeds of such bonds, and the rights and remedies available in the event of default, all as the Board shall deem advisable not in conflict with the provisions hereof. Each pledge, agreement, mortgage and deed of trust made for the benefit or security of any of the bonds of the agency shall continue effective until the principal of and interest on the bonds for the benefit of which the same were made shall have been fully paid. In the event of default in such payment or in any agreements of the agency made as a part of the contract under which the bonds were issued, whether contained in the proceedings authorizing the bonds or in any mortgage and deed of trust executed as security therefor, such payment or agreement may be enforced by suit, mandamus, the appointment of a receiver in equity, or by foreclosure of any such mortgage and deed of trust, or any one or more of said remedies.

AND FURTHER AMEND by deleting the original Section 11 of the bill in its entirety and substituting instead the following:

SECTION ____. (a) The Board, after receiving recommendations from its advisory committee, shall annually formulate and issue a statement of objectives, priorities and programs that it has adopted or envisions to meet these objectives. This statement of objectives shall be included in the annual report.

(b) The Board shall report annually to the Governor of the State of Tennessee, the Commissioner of Economic and Community Development, the state funding board and to the General Assembly through the chairman of the following standing committees or such other committees as the Speaker of each respective House may direct: Senate Finance, Ways and Means, Senate Government Operations, Senate State and Local Government, House Finance, Ways and Means, House Government Operations, House State and Local Government. This report shall also be transmitted to the governing bodies of the various counties and incorporated municipalities of the region. Such reports shall include the financial statements of the Authority, and a summary of all activities and accomplishments for the period and proposed plans for the next year.

(c) The comptroller of the treasury is directed to develop a uniform accounting system conforming to generally accepted accounting principles for the Authority.

(d) The annual report, including financial statements, and all books of account and financial records shall be subject to

annual audit by the comptroller of the treasury. The authority may, with the prior approval of the comptroller, engage licensed independent public accountants to perform the audits. The audit contract between the authority and the independent public accountant shall be on contract forms prescribed by the comptroller of the treasury. The authority shall be responsible for reimbursement of the costs of audits prepared by the comptroller and the payment of fees for audits prepared by licensed independent public accountants. Audits and working papers prepared by independent public accountants shall be reviewed and approved by the comptroller prior to payment. Copies of such audits shall be provided to each member of the board and the comptroller of the treasury and shall be made available to the press.

(e) The Board shall develop purchasing, contracting, and personnel procedures which shall be approved by the comptroller of the treasury and the commissioner of finance and administration prior to implementation."

AND FURTHER AMEND by adding a new section, to be appropriately numbered, immediately before the effective date section, as follows:

SECTION ____ . The employees of the Authority shall be eligible for membership in the Tennessee Consolidated Retirement System as state employees and the Board shall provide the necessary contributions to the Tennessee Consolidated Retirement System for its employees. This section shall not preclude the Board from contracting with individuals for their personal services under a contract of limited duration and not including retirement benefits to such individuals.

AND FURTHER AMEND by deleting the original Section 7 of the bill in its entirety, and by renumbering subsequent sections accordingly.

Mr. Curlee moved that the House concur in Senate Amendments Nos. 2, 6 and 7, which motion prevailed by the following vote:

Ayes	89
Noes	5
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby),

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Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --89.

Representatives voting no were: Bewley, Chiles, Copeland, Davis (Knox) and Stafford--5.

Representative present and not voting was: Robinson (Washington)--1.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Bivens, Speaker pro tem.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 805--To amend Gasoline Tax Law.

SENATE AMENDMENT NO. 4

Amend House Bill No. 805 by adding a new section thereto as follows:

SECTION ____.

Funds apportioned to counties under the provisions of this act shall be used for re-surfacing and upgrading county roads, including the paving of gravel roads. Any expenditure for equipment shall be approved by a two-thirds (2/3) vote of the county legislative body, prior to purchase.

SENATE AMENDMENT NO. 5

Amend House Bill No. 805 by deleting Sections 2 and 3 in their entirety.

Mr. DePriest moved that the House concur in Senate Amendment No. 5, which motion prevailed by the following vote:

Ayes	55
Noes	39

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Chiles, Clark (Sumner), Collier, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Dills, Duer, Ellis, Frensley, Gafford, Harrill, Henry, Hillis, Hurley, Huskey, Ivy, Jared, May, McCroskey, McNally, Montgomery, Moody, Moore (Sullivan), Murray, Naifeh, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Turner, C. (Shelby), Ussery, Webb, Wheeler, Whitson, Winningham, Wolfe and Yelton--55.

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Representatives voting no were: Bragg, Brewer, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Darnell, Davis (Knox), DeBerry, Dixon, Drew, Gaia, Garrett, Gill, Hassell, Hobbs, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, Miller, Murphy, Nance, Robinson (Hamilton), Severance, Starnes, Treadway, Turner (Hamilton), Turner, L. (Shelby), West, Williams, Wix, Wood and Work--39.

Mr. DePriest moved that the House concur in Senate Amendment No. 4, which motion prevailed by the following vote:

Ayes	53
Noes	42

Representatives voting aye were: Bell, Bewley, Bivens, Buck, Burnett, Byrd, Clark (Sumner), Collier, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Dills, Duer, Ellis, Frensey, Gafford, Harrill, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, May, McCroskey, McNally, Moody, Moore (Sullivan), Murray, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Washington), Scruggs, Stallings, Swann, Tankersley, Ussery, Wheeler, Whitson, Winningham, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter--53.

Representatives voting no were: Bragg, Brewer, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davis (Knox), DeBerry, Dixon, Drew, Gaia, Garrett, Gill, Hassell, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, Miller, Montgomery, Murphy, Naifeh, Nance, Robinson (Hamilton), Severance, Shirley, Stafford, Starnes, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Webb, West, Williams and Wood--42.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 906

Senate Bill No. 906--To regulate certain county election commissions.

Mr. Love moved that the motion to reconsider Senate Bill No. 906 be lifted from the table, which motion failed.

UNFINISHED BUSINESS

CALENDAR

House Bill No. 44--To make certain provisions, taxation of gasohol.

On motion, House Bill No. 44 was made to conform with Senate Bill No. 97.

On motion, Senate Bill No. 97, on same subject, was substituted for House Bill No. 44.

Mr. Robinson (Davidson) moved that Senate Bill No. 97 be passed on third and final consideration.

Mr. Robinson (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 97 by deleting the language added by Senate Amendment No. 2.

FURTHER AMEND by adding the following new sections immediately before the effective date section.

SECTION . Tennessee Code Annotated Section 67-3-617 is amended by adding the following new subsection (c):

(c) Revenues from the increases in taxes imposed by Tennessee Code Annotated Sections 67-3-603 and 67-3-604, effective 1985, shall be distributed in accordance with the following formula:

(1) Two cents (2¢) of such revenues shall be apportioned pursuant to subsection (b) of this section.

(2) One cent (1¢) of such revenues shall be apportioned as follows:

(A) Of such amount designated hereafter for distribution to the counties and cities, one percent (1%) shall be subtracted from the amount designated for cities and one percent (1%) shall be subtracted from the amount designated for counties for distribution to the general fund for expenses of administration prior to the distribution of the funds to the cities and counties;

(B) Sixty-six and two-thirds percents (66 2/3%) of such revenues collected to the various counties of the state on the basis set out at Section 54-4-103; and

(C) Thirty-three and one-third percent (33 1/3%) of such revenues collected to the various municipalities, as defined by Section 54-4-201, on the basis set out at Section 54-4-203.

(3) The distribution provided for in subsection (c) shall apply for a one year period from July 1, 1985 to June 30, 1986. After June 30, 1986, the revenues from the increases in taxes imposed by Tennessee Code Annotated Sections 67-3-603 and 67-3-604, effective 1985, shall be distributed in accordance with the provisions of subsection (b) of this section.

SECTION . If any provision of this act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

FURTHER AMEND by deleting from the effective date section, the word and symbols "June 1, 1985," and by substituting instead the word and symbols "July 1, 1985,".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 97, as amended, passed its third and final consideration by the following vote:

Ayes	79
Noes	13
Present and not voting	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kernell, King, Kisber, Lawson, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murray, Naifeh, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, Wheeler, Williams, Winningham, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter--79.

Representatives voting no were: Brewer, Chiles, Cobb, Garrett, Hassell, Kent, McAfee, Murphy, Nance, Shirley, Turner, C. (Shelby), West and Wood--13.

Representatives present and not voting were: Covington and Love--2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

53--To provide for six-member jury, civil cases;

190--To continue Elk River Development Agency Board;

322--To provide certain services for mentally ill persons;

495--To provide for reporting and treatment, child sexual abuse; all substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Covington moved that the rules be suspended for the purpose of considering House Bill No. 495 out of order, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 495--To provide for reporting and treatment, child sexual abuse.

SENATE AMENDMENT NO. 8

Amend House Bill No. 495 by adding the following new section to be appropriately numbered immediately before the effective date section, and renumbering that section accordingly:

SECTION _____. This act is subject to passage of the general appropriations bill and shall be funded as provided for therein.

SENATE AMENDMENT NO. 9

Amend House Bill No. 495 by deleting Section 18 in its entirety and substituting instead the following:

SECTION 18. Tennessee Code Annotated, Title 24, is amended by adding the following as a new section to be appropriately numbered:

Section ____.

(a) This section shall apply to proceedings in the prosecution of offenses defined in Section 3 of this act as "child sexual abuse" and to any civil proceedings in which child sexual abuse as defined in this act is an issue, and it shall apply only to the statements of a child or children under the age of thirteen (13) who are victims of such abuse.

(b) The recording of an oral statement of the child shall be admissible at any preliminary hearing at which such recording would be relevant, in lieu of compelling the testimony of the child at such proceeding, provided that the court finds that the time, content and circumstances of the statement provide sufficient indicia of reliability.

(c)(1) The recording of an oral statement of the child made before trial is admissible into evidence if:

(A) The recording is visual and/or oral and is recorded on film or videotape or by other electronic means;

(B) The recording equipment was capable of making an accurate recording, the operator of the equipment was competent, and the recording is accurate and has not been altered;

(C) The statement was not made in response to questioning calculated unduly to lead the child to make a particular statement;

(D) Every voice on the recording is identified;

(E) The person conducting the interview of the child in the recording is present at the proceeding and available to testify;

(F) The defendant or the attorney for the defendant is afforded a reasonable opportunity to listen and view the statement before it is offered into evidence;

(G) The court finds, in a hearing conducted outside the presence of the jury, that the time, content and circumstances of the case provide sufficient indicia of reliability; and,

(H)(i) With respect to criminal prosecutions in which the testimony of the child is taken under subsections (d) or (e) and is shown at the trial, the statement is ruled to be admissible by the court prior to such taking of testimony, and the party against whom the statement is offered is allowed to cross-examine the child during the recording of testimony; or

(ii) With respect to criminal prosecutions in which the testimony of the child is not taken under subsections (d) or (e), or if so taken, is not shown at the trial, or the child is nonetheless ordered to testify in court under subsection (e), either party is allowed to call the child as a witness and the opposing party is allowed to cross-examine the child.

(2) In any civil proceeding in which such recorded statement is admitted into evidence the child shall be competent to testify, but shall not be required to testify unless the court finds that such testimony is required to prevent an injustice to the parties.

(d) The court may, on the motion of any party, order that the testimony of the child be taken outside the courtroom and be recorded for showing in the courtroom before the court and the finder of fact. Only the court, the attorneys for the parties,

the defendant, persons necessary to operate the equipment, and any person whose presence would contribute to the welfare and well-being of the child may be present in the room with the child during his testimony. Only the attorneys or the court may question the child. The persons operating the equipment shall be confined to an adjacent room or behind a screen or mirror that permits such persons to see and hear the child during his testimony, but does not permit the child to see or hear them. The court shall permit the defendant to observe and hear the testimony of the child in person. The court shall also insure that:

(1) The recording is both visual and oral and is recorded on film or videotape or by other electronic means;

(2) The recording equipment was capable of making an accurate recording, the operator was competent, and the recording is accurate and is not altered;

(3) Each voice on the recording is identified; and

(4) The attorney for the defendant is afforded an opportunity to view the recording before it is shown in the courtroom.

(e) The court may, on the motion of either party upon showing of significant newly discovered evidence, order that additional testimony of the child be taken, if time and circumstances permit, outside the courtroom and be recorded for showing in the courtroom before the court and the finder of fact in the proceeding in accordance with subsection (d) of this section. If time and circumstances do not permit such additional out of court recording, the court may order the child to testify in court. Such testimony shall be limited to any such significant newly discovered evidence.

(f) If the court orders the testimony of a child to be taken under subsections (d) or (e) of this section, the child shall not be required to testify in court at the proceeding for which the testimony was taken, unless so ordered pursuant to subsection (e) hereof.

AMENDMENT NO. 1 TO AMENDMENT NO. 9

Amend Amendment No. 9 by inserting the following language as a new subitem at the end of subsection (c)(1) to be appropriately designated:

() The recording of the oral statement of the child made pursuant to this subsection is admissible into evidence at the criminal trial at the discretion of the judge under standard evidentiary rules. If such recording is admitted into evidence at

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such trial, the child for good cause showing, may be allowed to testify at such trial.

SENATE AMENDMENT NO. 10

Amend House Bill No. 495 by deleting from the first sentence of Section 18 (e) the words "significant newly discovered evidence" and by substituting instead the words "good cause".

AND FURTHER AMEND by deleting from Section 18 (e) the last sentence in its entirety.

Mr. Covington moved that the House non-concur in Senate Amendments Nos. 8, 9 and 10, which motion prevailed.

RESOLUTION CONSENT CALENDAR

On motion of Mr. Gill, the rules were suspended in order that the following congratulatory resolutions could be considered.

Senate Joint Resolution No. 158--Relative to commending Senate Sergeant-at-Arms.

Senate Joint Resolution No. 159--Relative to commending Virginia Adams.

Senate Joint Resolution No. 160--Relative to commending Tammy Kennedy.

Senate Joint Resolution No. 161--Relative to honoring Alethia Williams Armstrong.

Senate Joint Resolution No. 162--Relative to commending Alice Randall.

Senate Joint Resolution No. 163--Relative to commending Nathan H. Ridley, Esquire.

Senate Joint Resolution No. 164--Relative to congratulating Wendy J. Williams.

Senate Joint Resolution No. 166--Relative to commending Dr. James Theodore Hayes.

Senate Joint Resolution No. 167--Relative to honoring Columbus Homes, Incorporated, Knoxville.

Senate Joint Resolution No. 168--Relative to commending Renee Vaughn.

Senate Joint Resolution No. 169--Relative to commending E. J. (Bud) Clowes.

Senate Joint Resolution No. 170--Relative to commending Norman Spencer.

Senate Joint Resolution No. 171--Relative to honoring A. Z. Kelley.

Mr. Tanner moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 361 out of order, which motion prevailed.

House Joint Resolution No. 361--Relative to honoring Kenton High School girls' basketball team--By Tanner.

Mr. Wix moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 362 out of order, which motion prevailed.

House Joint Resolution No. 362--Relative to honoring Westmoreland High School girls' softball team--By Wix.

Mr. Drew moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 372 out of order, which motion prevailed.

House Joint Resolution No. 372--Relative to commending Dr. Clinton Marsh--By Drew.

Ms. Montgomery moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 373 out of order, which motion prevailed.

House Joint Resolution No. 373--Relative to expressing appreciation to Lowell Stewart Greene--By Montgomery, Yelton and Hurley.

Mr. Napier moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 374 out of order, which motion prevailed.

House Joint Resolution No. 374--Relative to honoring Cheatham County Central High School Choir--By Davidson and Darnell.

Mr. Bragg moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 379 out of order, which motion prevailed.

House Joint Resolution No. 379--Relative to honoring John Anthony Williamson--By Bragg, Rhinehart and Cobb.

Mr. Murphy moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 380 out of order, which motion prevailed.

House Joint Resolution No. 380--Relative to urging Interstate Commerce Commission against rail service abandonment--By Murphy, Bell, Buck and Jared.

Mr. Davis (Gibson) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 381 out of order, which motion prevailed.

House Joint Resolution No. 381--Relative to congratulating Bruce Harrison--By Davis (Gibson).

Mr. Henry moved that the rules be suspended for the purpose of introducing House Resolution No. 51 out of order, which motion prevailed.

House Resolution No. 51--Relative to commending Lorena Abston--By Henry.

Mr. Henry moved that the rules be suspended for the purpose of introducing House Resolution No. 54 out of order, which motion prevailed.

House Resolution No. 54--Relative to honoring Judge Chester Spradlin--By Henry.

Mr. Frensley moved that the rules be suspended for the purpose of introducing House Resolution No. 56 out of order, which motion prevailed.

House Resolution No. 56--Relative to expressing sorrow at death of James C. Short--By Frensley.

Mr. Work moved that the rules be suspended for the purpose of introducing House Resolution No. 57 out of order, which motion prevailed.

House Resolution No. 57--Relative to commending Michael Wayne Medlin--By Work, Davidson and Brewer.

Mr. Cobb moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 382 out of order, which motion prevailed.

House Joint Resolution No. 382--Relative to honoring Nannie Hereford--By Cobb.

Mr. Gill moved that all the preceding House and Senate Joint Resolutions be concurred in, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

The following resolution was objected to on the Resolution Consent Calendar:

Senate Joint Resolution No. 165--Relative to designating Parkway, "Cherohala Skyway".

Under the rules, Senate Joint Resolution No. 165 was placed at the heel of Wednesday's calendar.

On motion of Representative Drew, House Joint Resolution 354 was recalled from the General Welfare Committee and placed on Wednesday's calendar.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

671--General Appropriations Bill.

The Senate refused to recede from its action in nonconcurring in House Amendments Nos. 1, 2 and 3.

The Speaker appointed a Conference Committee composed of Senators Atchley, Darnell, Dunavant, Ford, Garland, Hamilton, Haynes, Henry, Lashlee, Moore and Rochelle to confer with a like Committee from the House in resolving the differences of the two bodies on Senate Bill No. 671.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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Mr. Henry moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 671, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Henry, Scruggs, Copeland, Burnett, Rhinehart, Bragg, DeBerry, Jared, Naifeh, Miller, Tanner, Cobb and Brewer as the Conference Committee on Senate Bill No. 671.

FURTHER CONSIDERATION OF HOUSE BILL NO. 939

House Bill No. 939--To define taxation, certain amusement devices.

Mr. Rhinehart moved that the motion to reconsider House Bill No. 939 be lifted from the table, which motion prevailed by the following vote:

Ayes	60
Noes	25
Present and not voting	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Clark (Davidson), Collier, Covington, Cross, Curlee, Davis (Cocke), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Hurley, Huskey, Jared, Jones, Kent, King, Kisber, Love, May, McCroskey, McNally, Miller, Moore (Sullivan), Murphy, Murray, Napier, Peroulas, Rhinehart, Robinson (Davidson), Scruggs, Severance, Starnes, Tanner, Treadway, Turner (Hamilton), Ussery, Webb, West, Wheeler, Williams, Winningham, Wix and Work--60.

Representatives voting no were: Byrd, Chiles, Crain, Davidson, Davis (Gibson), Dills, Duer, Harrill, Hobbs, Ivy, Kernell, Lawson, McAfee, Moody, Naifeh, Nance, Ridgeway, Shirley, Stallings, Swann, Tankersley, Turner, C. (Shelby), Turner, L. (Shelby), Wolfe and Wood--25.

Representatives present and not voting were: Cobb, Stafford and Whitson--3.

Mr. Rhinehart moved that the House reconsider its action in passing House Bill No. 939 on third and final consideration, as amended, which motion prevailed.

Mr. Rhinehart moved that House Bill No. 939 be placed on the next available place on the next available Calendar, which motion prevailed.

Mr. King moved that the rules be suspended for the purpose of introducing House Resolution No. 55 out of order, which motion prevailed.

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House Resolution No. 55--Relative to creating a study committee, pari-mutuel wagering--By King and Frensley.

On motion, the rules were suspended for the immediate consideration of the resolution.

Mr. King moved that House Resolution No. 55 be referred to the Committee on Calendar and Rules, which motion prevailed.

Ms. Turner, B. (Hamilton) moved that the rules be suspended for the purpose of introducing House Resolution No. 61 out of order, which motion prevailed.

House Resolution No. 61--Relative to regulating and taxing suntanning booths--By Turner (Hamilton), Moore (Sullivan), Burnett, Hassell and Peroulas.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Ms. Turner (Hamilton), House Resolution No. 61 was referred to the Committee on Calendar and Rules.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

861--To increase funding, certain medical training programs;

936--To appropriate funds, Historic Cemetery Advisory Board; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 322 for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Ms. Duer, House Bill No. 322 was returned to the Senate as requested.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill

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No.:

322--To provide certain services for mentally ill persons.

The Senate lifted tabling motion, reconsidered passage of the bill, reconsidered adoption of Amendment No. 4, withdrew Amendment No. 4, adopted Amendment No. 5, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER: I am directed by the Governor to return herewith, House Bill No. 515, as requested.

WILLIAM H. INMAN,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to request the return of House Bill No. 515, for further consideration.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Cobb, House Bill No. 515 was returned to the Senate as requested.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

515--To grant contempt power, certain judges.

The Senate lifted the tabling motion, reconsidered passage of the bill, adopted Amendment No. 4, then repassed the bill on third and final consideration, as amended.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

NOTICE PURSUANT TO RULE NO. 58

Pursuant to Rule No. 58, sponsors gave notice of their intentions to consider the following measures from the Senate on Wednesday, May 22, 1985:

House Bill No. 53--Murphy

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House Bill No. 190--King

House Bill No. 304--Wood

House Bill No. 322--Duer

House Bill No. 398--Murphy

House Bill No. 515--Cobb

House Bill No. 861--King

House Bill No. 936--Drew

SECOND ROLL CALL

A roll call was taken with the following results:

Present 97

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winingham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--97.

REPORTS OF STANDING COMMITTEES

GOVERNMENT OPERATIONS

MR. SPEAKER: Your Committee on Government Operations begs leave to report that we have carefully considered and recommend for passage: House Bill No. 1124.

KING, Chairman.

Under the rules, House Bill No. 1124 was transmitted to the Committee on Calendar and Rules.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to

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report that we have carefully considered and recommend for passage: House Resolution No. 40 and Senate Joint Resolution No. 97.

MURPHY, Chairman.

Under the rules, House Resolution No. 40 and Senate Joint Resolution No. 97 were transmitted to the Committee on Calendar and Rules.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bill No. 1101.

BRAGG, Chairman.

Under the rules, House Bill No. 1101 was transmitted to the committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1132--To amend Chapter 585, Private Acts, 1945--By Ivy.

Passed first consideration.

House Bill No. 1133--To levy mineral severance tax, McMinn County--By Webb.

Passed first consideration.

SENATE BILLS ON FIRST CONSIDERATION

Senate Bill No. 212--To provide development, Cloverbottom Mansion.

Passed first consideration.

Senate Bill No. 453--To establish homebuyers revolving loan fund pool.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1131--To create city sessions court, Lexington.

Passed second consideration and held without reference.

House Bill No. 1134--To amend Chapter 217, Private Acts, 1984.

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Passed second consideration and held without reference.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 583, 960, 1127 and 1130; and House Joint Resolutions Nos. 352, 353, 355, 356 and 358; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 55, 641 and 853; and House Joint Resolution No. 295; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 59, 127, 264, 504, 724 and 1115; also, House Joint Resolutions Nos. 329, 330, 331, 342 and 350; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 59, 127, 264, 504, 724 and 1115; and House Joint Resolutions Nos. 329, 330, 331, 342 and 350; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

172--Relative to notifying local news media, prisoners escape;

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adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

214--To regulate sales and use tax, certain factory-manufactured structures;

222--To prohibit certain vehicles, drive in left-hand lanes;

655--To regulate retirement increases, teachers and state employees;

763--To require certain entities, health care benefits;

949--To regulate medical training programs;

967--To regulate certain coin-operated amusement devices;

1100--To regulate certain practices, barber; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

641--To regulate use, alcoholic beverages;

869--To make certain provisions, alcohol abuse;

1036--To amend Section 67-6-102, Code; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

337--Relative to commending Ron Scudder;

338--Relative to memory, Brent O'Neal Bishop;

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- 339--Relative to commending Sherry Leigh Boyer;
- 345--Relative to honoring Democratic Women's Club;
- 346--Relative to thanking Highland Manor Winery and Vineyard;
- 347--Relative to commending Daniel A. (Bert) Walker;
- 349--Relative to commending L. Paul Monks;
- 351--Relative to congratulating Rachel Myracle;
- 357--Relative to commending Quinnie McCormick;
- 359--Relative to thanking Renee Robey, service to General Assembly;
- 360--Relative to memory, J. D. Carroll;
- 363--Relative to honoring C. E. Kiser;
- 364--Relative to honoring Kate Craddock;
- 365--Relative to honoring Jim Thompson;
- 366--Relative to commending and honoring The Courier;
- 367--Relative to honoring South Knoxville Elementary School;
- 368--Relative to honoring Bartlett High School Chorus;
- 369--Relative to Department of Transportation to donate to Swine Ball;
- 370--Relative to honoring James P. Roddy, III;
- 371--Relative to honoring Dr. Weldon Waldo Williams;
- 375--Relative to honoring Scott High School girls' softball team;
- 376--Relative to honoring Oneida High School girls' softball team;
- 377--Relative to honoring Jeff Doran;
- 378--Relative to memory, Terry Smith; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

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ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Joint Resolutions Nos. 361, 362, 372, 373, 374, 379, 380, 381 and 382; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

REPORT OF DELAYED BILLS COMMITTEE

The undersigned members of the Delayed Bills Committee have approved the following bill: House Bill No. 1028.

Ned R. McWherter

Jimmy Naifeh

James M. Henry

LOCAL BILL TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 1131.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Wednesday, May 22, 1985: House Resolutions Nos. 47, 46; House Joint Resolutions Nos. 348, 275, 191; House Bill No. 1028; Senate Joint Resolution No. 97 and House Bill No. 1131.

GILL, Chairman.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Wednesday, May 22, 1985: House Bills Nos. 328, 414; House Joint Resolution No. 293; House Bills Nos. 356, 813, 860, 372, 1078, 938, 908, 544, 1102; House Joint Resolution No. 334; Senate Joint

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Resolution No. 149; House Resolution No. 48; House Joint Resolution 83; House Resolution No. 55; and House Bills Nos. 623, 412 and 1101.

GILL, Chairman.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 28--Love

House Bill No. 55--Love

House Bill No. 641--Love

On motion of Mr. Naifeh, the House adjourned until 2:00 p.m. tomorrow.